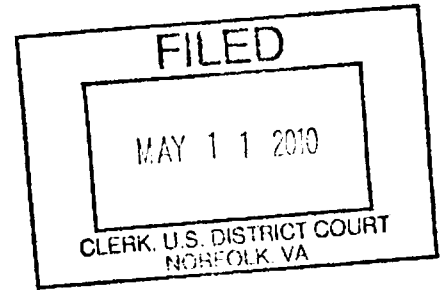


UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division



DEBORAH THOMAS,

Plaintiff,

v.

ACTION NO. 2:09cv342

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

FINAL ORDER

Plaintiff brought this action under Section 205(g) of the Social Security Act and 42 U.S.C. § 405(g) seeking judicial review of the final decision of the Commissioner of Social Security granting her Supplemental Security Income, but denying her claim for Disability Insurance Benefits under the Social Security Act.

The matter was referred to a United States Magistrate Judge pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B), by order of referral entered October 6, 2009, for report and recommendation. Report of the magistrate judge was filed on April 16, 2010, recommending that the Commissioner's decision be affirmed and the case be dismissed.

By copy of the report, each party was advised of the right to file written objections to the findings and recommendations made by the magistrate judge. The court received Plaintiff's Objections to the Report and Recommendation of the Magistrate Judge on April 30, 2010, and Defendant's Brief in Response to Plaintiff's Objections

to the Report and Recommendation of the Magistrate Judge on May 10, 2010.

The court, having examined the objections to the Magistrate Judge's Report and having made de novo findings with respect to the portions objected to, does hereby adopt and approve the findings and recommendations set forth in the Report of the United States Magistrate Judge filed April 16, 2010. Accordingly, the final decision of the Commissioner is **AFFIRMED**; defendant's Motion for Summary Judgment is **GRANTED**; plaintiff's Motion for Summary Judgment is **DENIED**; and the case is hereby **DISMISSED**.

The parties may appeal from the judgment entered pursuant to this Final Order by filing a written notice of appeal with the Clerk of this court, United States Courthouse, 600 Granby Street, Norfolk, Virginia 23510, within sixty (60) days from the date of entry of such judgment.

The Clerk shall forward a copy of this Order to counsel for the parties.

/s/
Rebecca Beach Smith
United States District Judge



UNITED STATES DISTRICT JUDGE

Norfolk, Virginia

May 11, 2010